

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 14, 2008

The Regular Monthly Meeting of Milford City Council was held in the Meeting Room of the Delaware Rural Water Association Facility at 210 Vickers Drive, Milford, Delaware on Monday, April 14, 2008.

PRESIDING: Mayor Joseph R. Rogers

IN ATTENDANCE: Councilpersons Irvin Ambrose, John Kramlich, John Workman, Clifford Crouch, Owen Brooks, Jr., Douglas Morrow, James Starling, Sr. and Katrina Wilson

ALSO: City Manager Richard Carmean, Assistant City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

Mayor Rogers called the meeting to order at 7:30 p.m. Following the Pledge of Allegiance, Councilman Starling gave the invocation.

#### APPROVAL OF MINUTES

Mr. Brooks moved for approval of the March 10 and 24, 2008 minutes as presented, seconded by Ms. Wilson. Motion carried.

#### RECOGNITION

##### *Adoption of Proclamation/National Telecommunicators Week/Lieutenant Edward Huey & Milford Police Department*

Lt. Huey recalled an incident in 1992 when he stopped an individual with whom he ended up in an altercation that resulted in the assistance of six officers to cuff and restrain the defendant. He explained that a dispatcher called for assistance which is one example of the ways that dispatchers save lives one call at a time. He said day in and day out, weekends and holidays, these men and women wear their hearts on their sleeves and are under appreciated and overworked and under paid and over stressed. It is their voice that a caller hears to those in need reassuring them that everything will be all right and help is on the way.

Lt. Huey explained that National Emergency Telecommunicators Week is a nationwide event and a small token to recognize appreciation for the dedication, service and commitment to the citizens of Milford. He then introduced Head Dispatcher Lee Vincent and Dispatcher Christina Eames.

Mayor Rogers then presented the following proclamation noting it is a small token of appreciation but an honor on behalf of city council and the citizens of Milford:

##### *PROCLAMATION 2008-3 National Telecommunicators Week*

*Whereas, emergencies can occur at anytime that require police, fire or emergency medical services; and*

*Whereas, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and*

*Whereas, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Public Safety Answering Points including the Milford Police Communications Center; and*

*Whereas, Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and*

*Whereas, Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and*

*Whereas, Public Safety Dispatchers of the Milford Police Department have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and*

*Whereas, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job during the past year.*

*NOW, THEREFORE, I, Joseph Ronnie Rogers, Mayor of the City of Milford, hereby proclaim the week of April 13, 2008 through April 19, 2008 to be National Telecommunicators Week in Milford, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed hereto this 14th day of April 2008.*

Mayor Rogers then recognized President Chuck Coverdale and Gary Brown of the Carlisle Fire Company.

#### MONTHLY POLICE REPORT

Mr. Morrow moved for acceptance of the monthly police report submitted by Chief Hudson, seconded by Ms. Wilson. Motion carried.

Mr. Workman reported that another vehicle was stolen in the second ward recently and asked if this is only occurring in the second ward area. Chief Hudson explained it is something that occasionally occurs in the city but not within a specific area. Chief Hudson then advised that in the majority of stolen vehicle cases, the keys are left in the vehicle by the owner.

Though it falls under the jurisdiction of the Department of Transportation, Mayor Rogers asked Chief Hudson to review the Wal-Mart intersection on Route 113 and Buccaneer Boulevard because the striping on the roadway is creating confusion and drivers are turning in front of one another. Chief Hudson will take a look at its design.

#### CITY MANAGER'S REPORT

Mr. Carmean submitted the following report for April:

##### *ADMINISTRATION*

*City Planner Gary Norris is finishing up his work on the City's Comprehensive Plan report for a public hearing and final approval by City Council. Once given a positive nod, it will go to State Planning for final approval.*

*Staff is working on the 2008-2009 City Budget and we should be ready to move forward into hearings by May. Assistant City Manager Baird has worked the entire budget hands on. I believe the budget to be the most important document ruling in the management of this City. It is of paramount importance that anyone who has a role in upper management of the City of Milford has a clear and concise working knowledge of the city's overall financial picture. Mr. Baird has that knowledge; I am very comfortable with his budget preparation capabilities.*

*City Hall renovations are proceeding at a very acceptable pace, but I do not believe we will see the May 5<sup>th</sup> schedule of completion. In all fairness, there have been numerous change orders and these have added to the work by way of back ordered materials and/or labor.*

##### *STREETS AND SOLID WASTE*

*Our crews will soon begin work on Lakeview Avenue between L.D. Caulk Company and Clark Avenue. We finally*

*determined the problem with the recurring depression in the road was due to a leak in our storm water collection pipe. We have contracted parts of the work though our crews will be working along with the contractor.*

### *ELECTRIC*

*Meetings and telephone conversations are ongoing with DP&L regarding our future connections to their system to serve our planned substation. They cannot seem to give us the definite answers we need, but talks continue.*

Mr. Carmean pointed out that Assistant Manager David Baird recently celebrated his first year anniversary with the city.

Mr. Brooks confirmed that Spring Clean Up Weeks is scheduled for April 21-25, 2008.

Mr. Carmean also referred to a problem with the memo area on our utility bills. There is a bar code at the bottom and customers with two water meters or who have additional calculations on their bill, are unable to read the memo because it drops down behind the bar code. The billing staff worked on it and believes it has been corrected though another batch of bills will need to be run to assure it was completely resolved.

Mr. Brooks thanked Mr. Carmean for addressing the problem.

### COMMITTEE REPORTS

No new reports were given.

### COMMUNICATIONS

Mayor Rogers reminded those present of the Bug and Bud Festival on Saturday, April 26<sup>th</sup>.

Mr. Workman announced a concert will be held on Friday night at the library amphitheater to officially open the event. The festival is scheduled from 9 a.m. to 4 p.m. on Saturday.

Mr. Brooks reported that Milford Little League will hold their annual parade downtown this Friday, April 18<sup>th</sup> at approximately 6 p.m. He also announced that Saturday is Little League Day.

Ms. Wilson attended the Delaware League Meeting this past month at which time a number of issues surrounding Recycle House Bill 159 were discussed. Because recycling is voluntary in Milford, the state could require mandatory recycling to its municipalities. The intent of the legislation is to apply an additional fee per ton to all solid waste generated and/or disposed of in Delaware. She feels that is something that should be considered as the budget is considered.

Mr. Carmean believes Milford will continue with the \$1 a week rate through the next contract; however, solid waste is reducing their recycling service to every two weeks which will reduce the monthly fee from \$4 to \$2 per customer. They have agreed to work with customers who need larger cans. He agrees that all rates will eventually be increased for recycling.

Mayor Rogers then advised that in April, Milford Museum will be opening exhibits which will honor the seven governors from Milford and the upcoming 200<sup>th</sup> birthday of President Abraham Lincoln.

### *UNFINISHED BUSINESS*

#### *Reappointment of City of Milford 2008 Election Board*

Mr. Workman moved for the reappointment of the following City of Milford 2008 Election Board as follows:

Tamela Mallamo-320 Lakelawn Drive  
Phyllis Fox-200 E. Clarke Avenue  
Joanne Leuthauser-509 Ashley Way

Motion seconded by Mr. Morrow. Motion carried with no one opposed.

*Reappointment of City of Milford 2008 Election Board*

Mr. Workman moved for the reappointment of the 2008 Election Officers for the April 26<sup>th</sup> Annual Election, seconded by Ms. Wilson:

Patricia Bailey-999 S. DuPont Boulevard  
Janet Lardner-228 S. Landing Drive  
1st Ward Clerk-Donna Merchant-108 Franklin Street  
2nd Ward Clerk-June Barto-10 W. Clarke Avenue-  
3rd Ward Clerk-Karen Boone-402 N.E. Fourth Street  
4th Ward Clerk-Teresa Franklin-5 Lucia Circle

Motion carried with no one opposed.

*Milford Public Library/Financial Pledge*

Mr. Crouch moved that the city assist Milford Public Library in their expansion project by contributing \$75,000 a year for the next four years for a total of \$300,000 through a mutual agreement. The funding source will be determined by the financial director and city manager. Motion seconded by Mr. Ambrose. Motion carried by unanimous roll call vote.

Mr. Ambrose noted that this investment in the Milford Public Library is money well spent and will come back many fold particularly with its location in the downtown area. He stated that many visitors look at the library and feel that this is a place they would want to live because of the effort and time that has been spent on the library which resulted in such a beautiful setting.

Mr. Kramlich agrees with the remarks of Mr. Ambrose.

Mayor Rogers thanked council stating he supports their decision and again thanked the library for the many services they provide the citizens of Milford. He added the city is extremely proud of their facility and looks forward to its expansion.

*NEW BUSINESS*

*Appointment of Code Enforcement Constable/City Code Official Donald Williams*

Assistant City Manager David Baird formally introduced Don Williams who was hired in February as the code official for the city. He reported that Mr. Williams' first couple of months were very productive in evaluating the city's code enforcement needs.

Mr. Williams then addressed council stating he retired from the United States Air Force in 2004 after serving 20 years. Since then, he became a certified building and commercial building inspector but has also done code enforcement work in addition to some handyman services. He assured council that he is someone who has their interests at heart. During the last couple of months, he has been reviewing the town and listening to concerns. He knows there are certain areas that need work.

Mr. Williams said safety is his first concern. After that he looks at appearances. He is aware there are many abandoned vehicles and a lot of structures that are falling apart and in need repair or demolishing though that is the decision of the homeowner. He is also aware this is the time for grass complaints.

He hopes to live up to councils' expectations. Mr. Williams is still learning the process in Milford and looks forward to adapting it to something that will work well.

Mayor Rogers reported that a lot of residents are still blowing grass on the street which creates a problem for the stormwater system in addition to being unsightly. He asked Mr. Williams to address that issue.

Mr. Baird then advised council that Mr. Williams has been reviewing the city ordinances currently on the books and has found a number of conflicts. He has been working on the 2006 property maintenance update which is scheduled for introduction at the next meeting. He asked that those items be expedited to allow Mr. Williams and other staff members to have solid tools to do their jobs.

Mr. Ambrose moved that Don Williams is formally appointed Code Enforcement Constable for the City of Milford, seconded by Ms. Williams. Motion carried by unanimous roll call vote.

Mr. Carmean advised that a part-time employee will be also hired to assist with the grass issues.

*Certification of 2008 City of Milford Voter Registration List(s)*

Ms. Wilson moved for certification of the 2008 City of Milford Voter Registration List as presented, seconded by Mr. Workman. Motion carried.

*Adoption of Proclamation/Arbor Day*

Mayor Rogers advised this proclamation will be presented at the Bug and Bud Festival.

Mr. Crouch moved for adoption of the following proclamation, seconded by Ms. Wilson:

*PROCLAMATION  
2008-2*

*WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and*

*WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and*

*WHEREAS, Arbor Day is now observed throughout the nation and the world; and*

*WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and*

*WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and*

*WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas and beautify our community; and*

*WHEREAS, trees, wherever they are planted are a source of joy and spiritual renewal.*

*NOW, THEREFORE, I, Joseph Ronnie Rogers, Mayor of the City of Milford, do hereby proclaim April 26, 2008 as the 136th Anniversary of Arbor Day and urge all citizens in the City of Milford to support efforts to protect our trees and woodlands in an effort to strengthen our city's urban forestry program; and*

*FURTHER, I urge all citizens to plant trees to gladden hearts and promote the well-being of present and future generations.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed hereto this 26th day of April 2008.*

Motion carried.

*Green Energy Program/Grant Request/James D. Bennett, Jr.*

Mr. Crouch moved that Green Energy Funds be reserved in the amount of \$2,400 for James D. Bennett, Jr. of Beaver Dam Road, seconded by Mr. Workman. Motion carried.

#### *FINANCE REPORT*

Mr. Ambrose advised that through the eighth month of Fiscal Year 2007-2008 with 67% of the year having passed, 72.5% of revenues have been received and 62.5% of the operating budget expended.

Mr. Ambrose moved for approval of the February report, seconded by Mr. Crouch. Motion carried.

Mr. Ambrose advised that he has met with Finance Director Jeff Portmann, City Manager Richard Carmean, Assistant City Manager David Baird and most of the city department heads for a preliminary review of the 2008-2009 budget. He believes that at this point in time, after considering the public works and city administration budgets, the finances are in such a state that a tax increase will not be needed and a balance budget will be presented. Additionally, it appears there will be no increase in fees with the exception of the annual water fee increase whose schedule was adopted by ordinance three years ago.

He also feels the expected finances coming in will fund half of the recommended pay increases for city employees as determined by the recent pay study.

Mr. Carmean made the point that a number of budget cuts were handled individually by each department.

Mayor Rogers noted that is good news particularly with the increasing cost of gasoline which is impacting the costs of so many other things. He attributes this to the city's excellent management, responsible department heads and conscientious city employees.

Ms. Wilson asked if it is necessary to have a budget hearing. Mr. Ambrose explained the overall budget has not been finalized and he wants to provide council with some background for a better understanding. This is only a preliminary report and more discussion will follow.

#### *Executive Session*

Motion made by Mr. Crouch to go into Executive Session reference a personnel matter, seconded by Mr. Workman. Motion carried.

Mayor Rogers recessed the council meeting at 8:10 p.m. to go into Executive Session to conduct a discussion regarding a personnel issue.

#### *Return to Open Session*

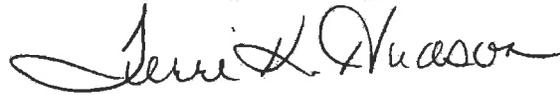
City Council returned to open session at 8:28 p.m.

Mr. Morrow moved to confirm the action taken in executive session, seconded by Mr. Workman. Motion carried.

ADJOURN

With no further business, Mayor Rogers declared the Regular Monthly Meeting adjourned at 8:29 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terri K. Hudson". The signature is fluid and cursive, with a large initial "T" and "H".

Terri K. Hudson, CMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 14, 2008

The City Council of Milford met in Workshop Session on Monday, April 14, 2008 in the Meeting Room of the Delaware Rural Water Association Facility at 210 Vickers Drive, Milford, Delaware.

PRESIDING: Mayor Joseph R. Rogers

IN ATTENDANCE: Councilpersons Irvin Ambrose, John Kramlich, John Workman, Clifford Crouch, Owen Brooks, Jr., Douglas Morrow, James Starling, Sr. and Katrina Wilson

ALSO: City Manager Richard Carmean, Assistant City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

Mayor Rogers convened the Workshop Session at 7:00 p.m.

*Milford Public Library/Expansion Project*

Board of Trustee Treasurer Gardner Shugart of Milford Public Library introduced Trustee President Richard Johnson and Director of the Library, Kay Hudson.

Mr. Shugart recalled coming before Council approximately eighteen months ago to announce their plans to expand and advise they would be returning to ask for financial help from the city. He said since that time, they have gathered community input, have an architectural plan and have spoken to the Longwood and Welfare Foundations and applied for funding from the State of Delaware. They are now at the point that help is needed from the city, which will be a key part of the campaign.

Mr. Shugart reported the state bond bill committee will meet at the end of the month. A pledge from the city, in addition to what has been received from the community, will greatly assist in obtaining the funding from the state.

They have raised \$975,000 and Mr. Shugart feels that if the city provides some funding, they should be able to convince the state and the foundations. If all falls in place as expected, they hope to break ground this fall.

Mr. Crouch asked if a payment over a four-year period would work for the library. Mr. Gardner said they can manage larger gifts over a four-year period, but the most important thing at this point is they have a pledge. However, they will need an answer because the bond bill committee is meeting April 29<sup>th</sup> which is a month earlier than previous years.

According to Construction Manager Richard Johnson, the project will take fourteen to fifteen months to complete. A short bridge loan may be needed because the construction will occur faster than the money will come in.

Mr. Gardner noted there will be minor interruptions to the library's operations during this time though they hope to stay open throughout the construction period. Mr. Johnson agreed but noted that the most they would have to close would be a couple of days.

After discussing this with Finance Director Jeff Portmann and City Manager Carmean, Mr. Ambrose reported the city is able to financially commit to the library though he recommends they determine the account from which it will be paid. However, Mr. Portmann prefers the funding be provided over a four-year period versus one lump sum payment.

At this time, Mr. Gardner said the pledge is important and that information can be taken to the state and the foundations. Mr. Johnson referred to the pledge forms which can be used by the city.

Mr. Workman agrees this is a great project for city and the library. He referred to Mr. Ambrose's recommendation that the funding is determined by Mr. Portmann. Before that is done, he feels an exact amount needs to be determined. He also wants confirmation that the amount can be included in the budget over the next four years. He recommends any account

that has been affected by the economy not be considered such as the transfer tax account.

Mr. Ambrose advised that at this time, either the general fund reserve account or the electric reserve fund is being considered. Both have significant funding particularly if the amount does not have to be removed at one time.

Though a motion cannot be made in a workshop session, Mr. Crouch said he will recommend the city assist the library in the amount of \$300,000 by paying \$75,000 a year over the next four years.

The city manager advised council of the limitations the city has with regard to donations or contributions to outside organizations. Referring to several worthwhile organizations the city has supported in the past, he explained that type of funding had to be stopped because of the tax money being used. He pointed out that property owners do not pay taxes to allow their elected officials to become philanthropic. However, that money can be used to beautify the city and provide things that make their life and quality of life better. He said the library and the fire company are two of those organizations and anyone is able to use the library throughout their lifetime. In addition, the fire company provides an ongoing service to the entire community.

When this contribution is made, Mr. Carmean feels that every taxpayer, including the residents who live in surrounding areas just outside the city, will benefit. He feels that in this case, council is not being philanthropic but is instead supporting a number of services available to the citizens of Milford including the use of computers, tax assistance, etc.

Mayor Rogers said he is pleased that council is in agreement to support this and he as Mayor, feels strongly how it will benefit the residents of this community. He thanked the library representatives for their hard work over the years noting the many accomplishments that have been achieved.

This item will be voted on in the regular session to follow this workshop.

With no further business, the Workshop Session concluded at 7:14 p.m.

Respectfully submitted,



Terri K. Hudson, CMC  
City Clerk/Recorder